

10/531758

Atty. Docket No. P33123NSw

JC13 R-1 PCT/PTO 14 APR 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: Application of Rachael ANCLIFF et al.

Serial No.: To be assigned

Art Unit: To be assigned

Filing Date: Concurrently herewith

Examiner: To be assigned

For: Substituted Piperazines, (1,4) Diazepines, and 2,5-Diazabicyclo (2.2.1) Heptaines as Histamine H1 and/or H3 Antagonists or Histamine H3 Reverse Antagonists

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

✓

INFORMATION DISCLOSURE STATEMENT

Applicants request that the references identified on Form PTO-1449 appended hereto be considered by the Examiner and officially made of record in accordance with the provisions of 37 CFR 1.97

[] Copies of the references are enclosed
[] Copies of the references were submitted in parent application Serial No. _____
(37 CFR 1.98(d))
[X] A copy of the International Search Report which issued on International Application No.
PCT/EP2003/11423 is submitted herewith. All of the publications cited in the
International Search Report are listed on the attached form PTO-1449 and Applicants
understand that copies have been supplied to the U.S. Patent Office by the International Bureau.

A. [X] The Information Disclosure Statement submitted herewith is being filed within three months of the filing date of the above application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 CFR 1.97(b).

OR

[] The Information Disclosure Statement submitted herewith is being filed before the mailing of a first office action after the filing of a Request For Continued Examination under 37 C.F.R. 1.114 (37 C.F.R. 1.97(b)(4)).

B. [] The Information Disclosure Statement transmitted herewith is being filed after three months of the filing date of the above application or the date of entry into the national stage as set forth in § 1.491 of an international application or after the mailing date of the first Office Action on the merits, whichever event occurred last, but before the mailing date of either:
(1) a final action under § 1.113 or
(2) a notice of allowance under § 1.311,
whichever occurs first.

CERTIFICATE OF MAILING (37 CFR 1.8)

Express Mail Label No.: EV332065607US

Date of Mailing: April 14, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to "Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown above.

Patty Wilson

10/531758

JC13 Rec'd PCT/PTO 14 APR 2005

Atty. Docket No. P33127USw

[] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

[] Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an Information Disclosure Statement under § 1.97(c) (\$180.00).

C. [] The Information Disclosure Statement transmitted herewith is being filed after a final action under § 1.113, or a notice of allowance under § 1.311, whichever occurs first, but before the payment of the issue fee. Also enclosed is a copy of the International Search Report which Issued on International Publication No.

In accordance with the requirements of 37 CFR 1.97(d):

[] Applicant hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. [or]

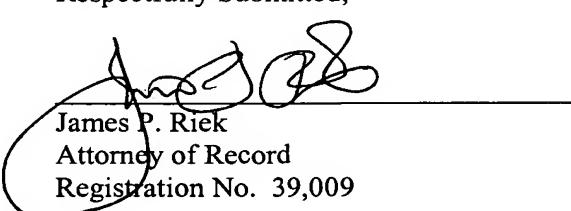
[] Applicant hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement; and

[] The petition fee set forth in § 1.17(i)(1) (\$180.00) is submitted herewith.

[X] Please charge any required fees to Deposit Account No. 07-1392.

[] A duplicate copy of this paper is attached.

Respectfully Submitted,


James P. Riek
Attorney of Record
Registration No. 39,009

Date: Apr 14 2005

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FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT		SERIAL NO.	To be assigned
		FILING DATE	Concurrently herewith
		APPLICANT	Rachael ANCLIFF
		GROUP	
		EXAMINER	
		ATTORNEY DOCKET NO.	P33126USw

U.S. PATENT DOCUMENTS

Examiner Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear
	1.	5,364,791	11/15/1994	Vegeto et al.	
	2.	5,935,934	10/10/1999	Vegeto et al.	
	3.	5,874,534	2/23/1999	Vegeto et al.	

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FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No	Document Number	Publication Date	Country	Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear	T ⁶
	4.	WO 02 12214	14 Feb 2002	PCT		
	5.	WO 02 06233	24 Jan 2002	PCT		
	6.	WO 02 12190	14 Feb 2002	PCT		
	7.	WO 02 076925	3 Oct. 2002	PCT		
	8.	WO 03 059341	24 Jul 2003	PCT		
	9.	WO 03 066604	14 Aug 2003	PCT		

Continue on page

OTHER DOCUMENTS (Including Author, Title, Journal-Date, Page Number, Etc.)

10.	LEURS et al., Trends Pharmacol. Sci. 19:177-183 (1998).
11.	SCHLICKER et al., Fundam. Clin. Pharmacol. 8:128-137 (1994).
12.	ONODERA et al., In: The Histamine H3 Receptor, ed Leurs and Timmerman, pp255-267, Elsevier Science B.V. (1998).
13.	GIOVANNI et al., Behav. Brain Res. 104:147-155 (1999).
14.	HILL et al., Pharmacol. Rev. 49:253-278 (1997).
15.	AARONSON, Ann. Allergy 67:541-547 (1991).
16.	VARTY & HEY, Eur. J. Pharmacol. 452:339-345 (2002).
17.	HEY et al., Arzneim-Forsch Drug Res. 48:881-888 (1998).
18.	MCLEOD et al., Am. J. Rhinol. 13:391-399 (1999).
19.	Chem. Pharm. Bull, 49(10):1314 (2001) (ABSTRACT).
20.	LOVENBERG et al., Mol. Pharmacol. 55:1101-1107 (1999).

Continue on page

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.